

**IN THE UNITED STATES DISTRICT COURT  
THE WESTERN DISTRICT OF TENNESSEE  
MEMPHIS DIVISION**

MICHAEL KUTZBACK, individually on  
behalf of themselves and other similarly  
situated,

Plaintiff,

v.

LMS INTELLIBOUND, LLC, a foreign  
Limited Liability Company and CAPSTONE  
LOGISTICS, LLC, a Domestic Limited  
Liability Company,

Defendants.

Case No. 2:13-cv-02767-JTF-cgc

**AGREED MOTION TO WITHDRAW FROM REPRESENTATION**

Pursuant to Rule 83.5 of the Local Rules of the United States District Court for the Western District of Tennessee, Defendants LMS Intellibound, LLC and Capstone Logistics, LLC (collectively “Defendants”), by and through their counsel, move for the withdrawal of representation of their counsel, the Law Firm of Fisher & Phillips, LLP (“Fisher & Phillips”) and in support state as follows:

1. Fisher & Phillips is counsel for the Defendants in this matter.
2. The Defendants have terminated Fisher & Phillips’s engagement as counsel.
3. The Defendants have retained the Law Firm of Seyfarth Shaw LLP, 131 S. Dearborn Street, Suite 2400, Chicago, IL 60603 (“Seyfarth Shaw”) to represent them in this matter. Gerald L. Maatman, Jr., Rebecca P. Bromet, Jennifer A. Riley, and Laura Reasons, of Seyfarth Shaw, will represent the Defendants in this matter.
4. Fisher & Phillips’s withdrawal as counsel will not delay the trial of this matter.

5. Pursuant to Local Rule 7.2(a)(1)(B), counsel for the Defendants consulted with counsel for the Plaintiff. All parties are in agreement with the action requested by this motion.

WHEREFORE, Defendants seek the entry of an Order authorizing the withdrawal of Fisher & Phillips as counsel for the Defendants and relieving Fisher & Phillips of all further responsibilities in this case and for such other relief as is proper.

DATED: January 16, 2014

Respectfully submitted,

By: /s/ Craig A. Cowart  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that he served a copy of the foregoing Agreed Motion To Withdraw From Representation to the following through the court's electronic case filing system on this 16th day of January, 2014:

**Andrew R. Frisch**  
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The undersigned hereby certifies that he served a copy of the foregoing Agreed Motion To Withdraw From Representation to the following via U.S. Mail, postage prepaid, before the hour of 5:00 pm on this 16th day of January 2014:

Gerald L. Maatman, Jr.  
Rebecca P. Bromet  
Jennifer A. Riley  
Laura Reasons  
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/s/ Craig A. Cowart  
Craig A. Cowart